

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JOSSCO AUSTRALIA PARTY LIMITED,

Plaintiff,

VS.

AG PROCESSING, INC.,

Defendant/Third Party Plaintiff,

VS.

KINDER MORGAN BULK TERMINALS, INC.,)

Third Party Defendant.

8:05CV79

ORDER

This matter is before the court on plaintiff's MOTION TO FILE AMENDED COMPLAINT (#30). Response time has passed, and the court has not received a response in opposition to the motion. Upon review of the proposed amended complaint, the court finds that plaintiff's motion should be granted.

IT IS ORDERED:

1. Plaintiff's MOTION TO FILE AMENDED COMPLAINT (#30) is granted. Plaintiff shall file and serve the amended pleading on or before **August 10, 2005**.
2. Defendants shall respond to the Amended Complaint (#37) within the time allowed by Fed. R. Civ. P. 15(a).

DATED August 3, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge